

L.N. 163 of 2025

Road Traffic (Construction and Maintenance of Vehicles)
(Amendment) Regulation 2025

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**Road Traffic (Construction and Maintenance of Vehicles)
(Amendment) Regulation 2025**

(Made by the Secretary for Transport and Logistics under section 9 of
the Road Traffic Ordinance (Cap. 374))

- 1. **Commencement**
 - (1) Subject to subsection (2), this Regulation comes into operation on 11 September 2025.
 - (2) Sections 4, 5 and 6 come into operation on a day to be appointed by the Secretary for Transport and Logistics by notice published in the Gazette.
- 2. **Road Traffic (Construction and Maintenance of Vehicles) Regulations amended**

The Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) are amended as set out in sections 3 to 7.
- 3. **Part IIIA added**

After Part III—
Add

“Part IIIA

Journey Recording Systems for Taxis

78C. Interpretation of Part IIIA

In this Part—

approved journey recording system (認可行車記錄系統)—see regulation 78E;

authorized journey recording system installer (獲授權行車記錄系統安裝人) means a person authorized under regulation 120AA(2) to install journey recording systems;

journey recording system (行車記錄系統)—see regulation 78D;

taxi for hire (出租的士) means a taxi being used on a road—

- (a) to ply for hire; or
- (b) to carry passengers for hire or reward.

78D. Meaning of *journey recording system*

- (1) A journey recording system is a system that can be fitted to a taxi and complies with all the requirements set out in paragraphs (2), (3) and (4).
- (2) The system is capable of—
 - (a) making video recordings with audio that show a clear view of all persons in the taxi to which the system is fitted;
 - (b) making video recordings without audio that show a clear view of the front view and rear view outside the taxi; and
 - (c) capturing data concerning the precise location of the taxi in latitude and longitude by transmitting and receiving signals under a global navigation satellite system,

during the period beginning on the activation of the taxi's drive system and ending 15 minutes after the deactivation of the drive system (***operation period***).

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- (3) After any recording or data mentioned in paragraph (2)(a), (b) or (c) is made or captured, the system is capable of—
- (a) processing the recording or data such that it is shown on the recording or data—
 - (i) the date (including day, month and year) and time (including second, minute and hour) when the recording is made or data is captured; and
 - (ii) the registration mark of the taxi;
 - (b) encrypting the recording or data;
 - (c) for a recording mentioned in paragraph (2)(a)—
 - (i) storing the recording for 30 days after the date on which the recording is made (*30-day period*); and
 - (ii) automatically deleting the recording on the expiry of the 30-day period;
 - (d) for a recording mentioned in paragraph (2)(b)—storing the recording for at least 30 days after the date on which the recording is made; and
 - (e) for any data mentioned in paragraph (2)(c)—storing the data for at least 30 days after the date on which the data is captured.
- (4) The system—
- (a) is capable of being connected to the designated information system during the operation period of the taxi and—
 - (i) transmitting the recording and data stored in the journey recording system to the information system; and

- (ii) transmitting signals to the information system indicating whether the journey recording system is maintained in good and efficient working order; and
- (b) provides both of the following telltales that are easily visible to any person in the taxi—
 - (i) a coloured signal lamp that lights up during the operation period of the taxi when the journey recording system is in normal operation;
 - (ii) a coloured signal lamp that lights up during the operation period of the taxi when the journey recording system is defective or otherwise not in normal operation.
- (5) In this regulation—

designated information system (指定資訊系統) means the information system designated under regulation 49E(1) of the Road Traffic (Public Service Vehicles) Regulations (Cap. 374 sub. leg. D).

78E. Meaning of *approved journey recording system*

An approved journey recording system, in relation to a taxi, means a journey recording system that—

- (a) has been installed on the taxi, or modified for the taxi, by an authorized journey recording system installer;
- (b) has been examined to the satisfaction of the Commissioner; and

(c) has been sealed by the Commissioner or a person authorized in writing by the Commissioner.”.

4. Part IIIA, Division 1 heading added

Before regulation 78C—

Add

“Division 1—Interpretation”.

5. Part IIIA, Division 2 added

Part IIIA, after Division 1—

Add

**“Division 2—Approved Journey Recording Systems be
on Taxis and their Maintenance**

78F. Approved journey recording systems on taxis

- (1) There must be an approved journey recording system on a taxi.
- (2) If paragraph (1) is contravened, the registered owner of the taxi commits an offence and is liable on conviction to a fine at level 3 and to imprisonment for 6 months.

78G. Seals of approved journey recording systems

- (1) The seal on the approved journey recording system of a taxi for hire must remain intact.

- (2) If, without reasonable excuse, paragraph (1) is contravened, the registered owner and the driver of the taxi for hire each commits an offence and is liable on conviction to a fine at level 3 and to imprisonment for 6 months.
- (3) If the seal on the approved journey recording system of a taxi is damaged, the registered owner of the taxi must, as soon as reasonably practicable after becoming aware of the damage, report the damage to the Commissioner.
- (4) A person who, without reasonable excuse, contravenes paragraph (3) commits an offence and is liable on conviction to a fine at level 3 and to imprisonment for 6 months.

78H. Alteration to approved journey recording systems

- (1) An application for alteration to the approved journey recording system of a taxi may be made to the Commissioner by—
 - (a) the registered owner of the taxi; or
 - (b) an authorized journey recording system installer.
- (2) The application—
 - (a) must be in writing; and
 - (b) must state the alteration proposed to be made to the approved journey recording system.
- (3) The Commissioner may—

- (a) approve an application and issue a written notice to the applicant specifying the alteration approved to be made to the approved journey recording system and the manner in which the alteration is to be made; or
 - (b) refuse an application.
- (4) If a person alters the approved journey recording system of a taxi and the alteration—
 - (a) is not specified in a notice issued under paragraph (3)(a) in relation to the system; or
 - (b) is not made in accordance with the manner specified in such a notice,the person commits an offence and is liable on conviction to a fine at level 3 and to imprisonment for 6 months.

78I. Offences on defacing and damaging approved journey recording systems etc.

- (1) A person must not—
 - (a) deface, damage or remove the approved journey recording system of a taxi; or
 - (b) break the seal on the approved journey recording system of a taxi.
- (2) A person who, without lawful authority or reasonable excuse, contravenes paragraph (1) commits an offence and is liable on conviction to a fine at level 3 and to imprisonment for 6 months.

78J. Certain provisions not to apply to existing taxis until first examination

For a taxi registered before the date on which regulation 78F comes into operation (*commencement date*), regulations 78F, 78G, 78H and 78I do not apply to the taxi until the date on which the taxi is examined under section 78(1) of the Ordinance for the first time on or after the commencement date.”.

6. Part IIIA, Division 3 added

Part IIIA, after Division 2—

Add

**“Division 3—Operation of Approved Journey
Recording Systems**

78K. Operation of approved journey recording systems

- (1) The approved journey recording system of a taxi for hire must be—
 - (a) maintained in good and efficient working order; and
 - (b) kept free from any obstruction that may affect the system’s capability to—
 - (i) make video recordings with audio that show a clear view of all persons in the taxi; or
 - (ii) make video recordings without audio that show a clear view of the front view and rear view outside the taxi.

- (2) If paragraph (1)(a) is contravened, the registered owner and the driver of the taxi for hire each commits an offence and is liable on conviction to a fine at level 3 and to imprisonment for 6 months.
- (3) If, without reasonable excuse, paragraph (1)(b) is contravened, the driver of the taxi for hire commits an offence and is liable on conviction to a fine at level 3 and to imprisonment for 6 months.
- (4) Paragraph (5) applies if—
 - (a) there is a defect in the approved journey recording system of a taxi for hire; and
 - (b) a person is charged with the offence under paragraph (2) for the contravention of paragraph (1)(a) by reason of the defect.
- (5) It is a defence in any proceedings in respect of the contravention for the person to prove that—
 - (a) the defect occurred in the course of the journey during which the contravention was detected; or
 - (b) the telltales of the approved journey recording system mentioned in regulation 78D(4)(b) showed that the system was in normal operation despite the existence of the defect.

78L. Reporting of defects in or damage to approved journey recording systems

- (1) The registered owner of a taxi must, as soon as reasonably practicable after becoming aware of a reportable defect in the approved journey recording system of the taxi, report the defect to the Commissioner.

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- (2) An authorized journey recording system installer must, as soon as reasonably practicable after becoming aware of a reportable defect in the approved journey recording system of a taxi, report the defect to the Commissioner and the registered owner of the taxi.
- (3) A person who, without reasonable excuse, contravenes paragraph (1) or (2) commits an offence and is liable on conviction to a fine at level 3 and to imprisonment for 6 months.
- (4) In this regulation—
reportable defect (須報告缺陷), in relation to the approved journey recording system of a taxi, means a defect in or any damage to the system that leads to the system's failure in complying with any requirement under regulation 78D.

78M. Other offences concerning approved journey recording systems

- (1) A person must not—
 - (a) interfere with the proper operation of the approved journey recording system of a taxi; or
 - (b) alter, delete or damage any recording or data stored in such a system.
- (2) A person who, without lawful authority or reasonable excuse, contravenes paragraph (1) commits an offence and is liable on conviction to a fine at level 3 and to imprisonment for 6 months.
- (3) A taxi must not be used as a taxi for hire if a device that does not form part of the approved journey recording system of the taxi—

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- (a) is installed on the taxi; and
- (b) is used to make any audio or video recording of any passenger in the taxi.
- (4) If, without reasonable excuse, paragraph (3) is contravened, the registered owner and the driver of the taxi each commits an offence and is liable on conviction to a fine at level 3 and to imprisonment for 6 months.”.

7. Regulation 120AA amended (authorized installer)

- (1) Regulation 120AA(1), definition of *applicable provision*—

Repeal

everything after “條文”

Substitute

“—

- (a) in relation to an approved speed limiter, means regulation 24B;
 - (b) in relation to an approved EDRD, means regulation 24C; and
 - (c) in relation to a journey recording system, means Part IIIA;”.
- (2) Regulation 120AA(1), definition of *approved device*, paragraph (a)—

Repeal

“or”.

- (3) Regulation 120AA(1), definition of *approved device*, paragraph (b), after “EDRD;”—

Add

“or”.

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- (4) Regulation 120AA(1), definition of *approved device*, after paragraph (b)—

Add

“(c) a journey recording system;”.

- (5) Regulation 120AA(1), English text, definition of *authorized installer*—

Repeal

“(2).”

Substitute

“(2);”.

- (6) Regulation 120AA(1)—

Add in alphabetical order

“*journey recording system* (行車記錄系統)—see regulation 78D.”.

Mable CHAN
Secretary for Transport and
Logistics

15 July 2025

Explanatory Note

The purpose of this Regulation is to amend the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) (*principal Regulations*) to provide for matters relating to journey recording systems for taxis.

2. Sections 3 to 6 add to the principal Regulations a new Part IIIA, which consists of new regulations 78C to 78M. New regulations 78C, 78D and 78E come into operation on 11 September 2025, while the remaining provisions of the new Part IIIA come into operation on different dates to be appointed by the Secretary for Transport and Logistics.
3. Section 3 adds to the principal Regulations new regulations 78C, 78D and 78E, which provide for the definitions used in the new Part IIIA and the meanings of *journey recording system* and *approved journey recording system*.
4. Section 5 adds to the principal Regulations new regulations 78F to 78J, which require there must be approved journey recording systems on taxis and provide for matters in relation to the maintenance of approved journey recording systems.
5. Section 6 adds to the principal Regulations new regulations 78K, 78L and 78M, which provide for matters in relation to the operation of approved journey recording systems.
6. Section 7 amends regulation 120AA of the principal Regulations to provide for the authorization of persons by the Commissioner for Transport to install journey recording systems. Section 7 comes into operation on 11 September 2025.